

**STATEMENT OF PROCEEDINGS FOR THE SPECIAL MEETING OF THE  
CITY OF MONTEBELLO OVERSIGHT BOARD**

**CITY OF MONTEBELLO  
CITY COUNCIL CHAMBERS  
1600 WEST BEVERLY BOULEVARD  
MONTEBELLO, CALIFORNIA 90640**

**Thursday, September 27, 2012**

**8:15 a.m.**

AUDIO LINK FOR THE ENTIRE MEETING. (12-4633)

**I. CALL TO ORDER**

**Chair Bruckner called the meeting to order at 8:25 a.m.**

**II. ROLL CALL**

**Ivonne Umana, Oversight Board Staff, called the roll.**

**Present:** Chair Richard Bruckner and Vice Chair Ernesto Hidalgo  
Board Members Edgar Cisneros, Yolanda Duarte, Dolores  
Gonzalez-Hayes (Arrived at 8:34 a.m.)

**Absent:** Board Member Cheryl A. Plotkin

**Vacant:** Community College Appointee

**III. ADMINISTRATIVE MATTER**

1. Recommendation: Approve the minutes for the August 15, 2012. (12-4386)

**By Common Consent, there being no objection (Board Members Plotkin and Gonzalez-Hayes being absent and Community College Appointee being vacant), the Oversight Board approved the August 15, 2012 minutes.**

**Attachments:** [Minutes for the August 15, 2012](#)

**IV. DISCUSSION**

2. Discussion on the Housing Funds Due Diligence Review (DDR) report as prepared by an independent Auditor; open the forum for public comment session on the DDR for low and moderate - income housing funds pursuant to California Health and Safety Code Section 34179.6; and set Wednesday, October 3, 2012 for final approval. (12-4382)

**Michael Huntley, Director of Planning and Community Development, provided a staff report and a draft form of the Low and Moderate Income Housing Fund Due Diligence Review and answered questions posed by the Oversight Board. Mr. Huntley further informed the Oversight Board that a second meeting is required and recommends Thursday, October 4, 2012 or any day of the week of October 9, 2012 for the Oversight Board take action pertaining to the DDR. Mark J. Huebsch, Oversight Board Legal Counsel, advised the Oversight Board that pursuant to Health and Code Section 34179.6 (b) "Upon receipt of the review, the oversight board shall convene a public comment session to take place at least five business days before the oversight board holds the approval vote..."**

**Chair Bruckner requested clarification on the \$2,040,830 land held for resale if they pertain to various parcels or just one. Mr. Huntley responded and informed the Oversight Board that there are about 12 separate parcels which were acquired for the land expansion in downtown, plus the values associated with the purchase price of those properties. Mr. Huebsch further informed the Oversight Board that in discussion with some accountants in negotiating with the Department of Finance about the form being used, it was determined that there is a methodology in place to determine the fair market value on the properties.**

**Chair Bruckner requests that the information provided by Mr. Huebsch pertaining to the fair market value be footnoted in the DDR report.**

**Mr. Huebsch requested clarification on behalf of the Oversight Board, on Attachment B-1 (Page 15), under "Land Held for resale" the amount is \$2,040,830, and Attachment B-2 (Page 16), under the column Non-Housing for Land held for resale is \$2,040,830, can it be a discrepancy? Also, Mr. Huebsch requested clarification on "the Indenture," "pledged Housing Set-Aside Revenues," and three bond issues (Page 13, Procedures No. 8 Results, 8A). Francesca Tucker-Schuyler, Interim City Administrator/ Director of Finance, informed the Oversight Board that it is three separate indentures and related to all housing.**

Chair Bruckner informed the Oversight Board that the Successor Agency will be available to answer to questions pertaining to the DDR until the next meeting. Ms. Tucker-Schuyler also added, that the Successor Agency has noted the concerns of the Oversight Board and will provide answers to them at the next meeting.

On motion by Chair Bruckner, by Common Consent, there being no objection (Board Member Plotkin being absent and Community College Appointee being vacant), the Oversight Board opened the public comment session pertaining to the DDR.

The Oversight Board discussed the next meeting and made the determination to cancel the regular meeting of Wednesday, October 3, 2012 and hold a Special Meeting on Tuesday, October 9, 2012 for the final decision on the DDR.

There were no members of the public to comment on the DDR.

On motion by Chair Bruckner, by Common Consent, there being no objection (Board Member Plotkin being absent and Community College Appointee being vacant), the Oversight Board closed the public comment session.

Mr. Huebsch, recommends that the resolution prepared by the Successor Agency be corrected on any notation referencing Wednesday, October 3, 2012 be changed to Tuesday, October 9, 2012.

On motion of Board Member Duarte, seconded by Vice Chair Hidalgo, duly carried by the following vote, the Oversight Board adopted the "Resolution of the City of Montebello Oversight Board Receiving the Low and Moderate Income Housing Fund Due Diligence Review, Convening a Public Comment Session Thereon, and Setting the Date for Vote Thereon, Pursuant to Section 34179.6 of the Health & Safety Code"; and instructed the Successor Agency to correct the resolution on references to Wednesday, October 3, 2012 to reflect Tuesday, October 9, 2012:

**Ayes:** 5 – Board Members Cisneros, Duarte, Gonzalez-Hayes, Vice Chair Hidalgo and Chair Bruckner

**Absent:** 1 – Board Member Plotkin

**Vacant:** 1 - Community College Appointee

**Attachments:** [Staff Report](#)  
[Due Diligence Report](#)  
[Resolution](#)

**V. MISCELLANEOUS**

3. Matters not on the posted agenda (to be presented and placed on the agenda of a future meeting). (12-4387)

**There were no matters.**

4. Public Comment. (12-4388)

**There were none.**

5. Adjournment. (12-4389)

**The meeting adjourned at 8:47 a.m. The meeting of October 3, 2012 was cancelled. A Special Meeting has been scheduled for Tuesday, October 9, 2012.**